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C O N F I D E N T I A L SECTION 01 OF 03 ABUJA 002165

SIPDIS

LUANDA FOR A/S KANSTEINER

E.O.12958:DECL: 1.6X1, 1.6X6

TAGS: PREL PNAT MARR NI CM FR UK PTBS

SUBJECT: NIGERIA: BAKASSI -- ON THE MINDS OF MANY

CLASSIFIED BY AMBASSADOR HOWARD F. JETER; REASONS:  
1.6X1, 1.6X6.

**¶11. (C)** Summary: The GON is feeling a sense of urgency regarding a possibly adverse ICJ judgment on the Bakassi within the next few months. The GON is groping for a face-saving exit before finding itself boxed in a corner. The GON wants avoid the dilemma of having to accept an adverse judgment that deeply wounds their national pride and provokes jingoistic repercussions or of having to fight Cameroon, launching an attack that might be popular at home but would irreparably harm Nigeria's standing abroad. However, Nigerian officials are frustrated by Paul Biya's refusal to talk. HMG is endeavoring to lower GON expectations of international support for its position, and the GOF says it is not taking sides but the Nigerians do not believe Paris. The GON will raise Bakassi with A/S Kansteiner. While avoiding active USG involvement for now, we also should continue to talk to the British and French while weighing the utility of encouraging other African states to engage in some preventive diplomacy. End Summary.

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NIGERIANS FEAR STORM CLOUDS ARE GATHERING  
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**¶12. (C)** Nigerian observers believe the ICJ will announce its decision on Bakassi later this year. Concerned their legal position is weaker than Cameroon's, GON officials have been fretting about the domestic fallout of a negative ruling. While the Embassy does not actively seek to discuss Bakassi, GON officials have begun to impress upon us the difficulties Nigeria would face abiding a decision that awards Bakassi to Cameroon.

**¶13. (C)** In a recent exchange with Ambassador Jeter, Defense Minister T.Y. Danjuma declared that he "could not predict" his country's reaction if the ICJ ruled against Nigeria. There were 200,000 to 300,000 Nigerian citizens living in Bakassi, the Minister noted, and "very few Cameroonian." Danjuma took the same line in a conversation with British Deputy High Commissioner Charles Bird.

**¶14. (C)** Minister of State for Justice Musa Abdullahi Elayo, who led the GON delegation at the most recent round of hearings in The Hague, told DCM that Nigeria's interests were its people and access to the port of Calabar. The GON "would not care" if oil and natural gas were the only issues at stake. Elayo said the GON understood the GOC concern for direct access to international waters (i.e., without having to pass through Equatorial Guinean waters) and recognized that most of Cameroon's oil production was from fields located in the offshore zone affected by an ICJ ruling on Bakassi. However, Nigerian attempts to negotiate a settlement had foundered on Paul Biya's stubborn refusal to talk. Biya has rebuffed several approaches, Elayo stated. In the end, Nigeria would defend the interests of its citizens, who make up the overwhelming majority of Bakassi's people.

**¶15. (C)** Going beyond Elayo's unpersuasive soft-pedaling and even his own superior's (Danjuma) calculated uncertainty, Minister of State for Defense (Army) Lawal Batagarawa spoke bluntly to Polcouns. He stressed that the GON did not want to fight; yet, in the same breath, Batagarawa strongly implied that domestic considerations might compel a military response to an unfavorable ICJ judgment. He asserted no government could long survive if it passively accepted the "loss of Bakassi." Given that most

civilians would be jingoistic, elements in the Nigerian military, a fortiori, were itching for a fight. Bakassi evoked strong emotions, stressed Batagarawa. Despite the emotions, the GON realized its international standing hung in the balance. Nigeria's reputation as a peacekeeper, its role in NEPAD and Obasanjo's image as a statesman would be dealt stinging blows if Nigeria were seen as an aggressor, the Army Minister lamented.

6.(C) If fighting came, he predicted Nigeria would be disadvantaged initially and would suffer more losses than Cameroon. However, trying to send the message Nigeria would not back down once fighting started, Batagarawa asserted the disparity of men, material and money would give Nigeria the upper hand in time. He maintained the Cameroonian army was reinforcing its positions around the Bakassi. He also claimed evidence the French had several advisors helping the Cameroonian. Batagarawa stated that, on the margins of the G-8, Obasanjo asked Chirac if the French could help. Chirac was dismissive, stating since it voluntarily submitted to the Court's jurisdiction, Nigeria now must accept the Court's judgment

¶7. (C) Like Elayo, Batagarawa claimed Biya had rebuffed several overtures from Nigeria, including an attempt to arrange a secret Obasanjo-Biya tete-a-tete in the latter's hotel room during the Durban AU summit. Batagarawa groused that French support fed Biya's obduracy. He also alleged the presence of French and Francophone jurists on the ICJ had given Biya undue confidence. Batagarawa stated that Nigeria, while able to accept the primacy of Cameroon's legal claims, wanted to negotiate a "political solution" palatable to both the Cameroonian and Nigerian publics. The Minister of State mentioned he would raise Bakassi with A/S Kansteiner during their July 25 meeting. (Comment: Batagarawa likely will urge the U.S. to press France to be more receptive to Nigeria's position and ask the French not to encourage Biya's stubbornness. End Comment.)

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WHAT OUR ALLIES ARE DOING  
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¶8. (C) In a low-keyed manner, the British are attempting show the Nigerians that their legal case is weak and that no one is likely to intervene heavily on their behalf. Deputy High Commissioner Bird recently showed President Obasanjo the High Commission's copy of Nigeria's 1978 national atlas that begins with a dedication signed, "Olusegun Obasanjo." The maps of the affected region show Bakassi in Cameroon. President Obasanjo merely shrugged Bird off, contending the atlas had "no official status."

¶9. (C) French Ambassador Jean Mare Simone told Ambassador Jeter recently that President Chirac and Obasanjo briefly discussed Bakassi on the margins of the G-8. Asked how Paris might assist, Obasanjo responded, "Help me control my military." (Comment: Weighing Batagarawa's statement against the French Ambassador's, the French and Nigerians have vastly different interpretations of what their two Presidents said to each other. End Comment.)

¶10. (C) The French Ambassador hoped to talk with the ICJ President (a French national) on the margins of a lecture the ICJ President will give in Paris next month. The French Ambassador said Biya was complicating the situation by his refusal to meet Obasanjo. In fact, Biya was systematically avoiding venues where he thought even a chance encounter with Obasanjo might occur. Given this awkward situation, Mare Simone contended the French were taking a low key position and, like us, did not plan to raise Bakassi formally with the GON until the ICJ rendered its decision. He stated Paris wanted to work closely with us to prevent an armed conflict that would have serious consequences for Africa. Nigeria and Cameroon were not in the same sub-region. There was no effective regional organization to mediate a potential conflict. Moreover, Biya was isolated, stubborn and unpredictable. Chirac might have some limited influence with Biya and the U.S. might be able to influence him as well, the French envoy thought.

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COMMENT  
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¶11. (C) As far as we can tell, Nigeria does not want a war over Bakassi. However, Nigerians do feel a strong attachment to that territory. These conflicting sentiments have caused some deep soul-searching within the GON over how to respond to a possible negative ICJ ruling. While many senior officials recognize the weakness of their position, the GON has not prepared the public for an adverse ruling. With elections slated for late 2002 and early 2003, such a ruling will spark calls "to protect fellow citizens" in Bakassi, and most observers generally agree the overwhelming majority (90-95%) of Bakassi's inhabitants are Nigerian. Obasanjo's remark to Chirac reported by the French envoy suggest the Nigerian Army would initiate action on its own. It would be difficult for the Army to make such a momentous decision by itself. However, as Army Minister Batagawara asserted, Obasanjo will come under extraordinary pressure to do something forceful to reassert Nigeria's claim to Bakassi.

12.(C) While Biya may win the case before the ICJ, Nigeria may find itself politically unable to accept a ruling that completely rejects Nigerian claims. Thus, GON officials are currently making the effort to emphasize to us the straits in which Nigeria would find itself due to an adverse ruling. The GON likely hopes that we (and France and the U.K.) will believe Nigeria is ready for war and, therefore, urge Cameroon to negotiate.

¶13. (C) The USG should make no public statements on the Bakassi dispute as long as it remains sub judice. Our private conversations with both parties should focus on reminding each of the dangers of overplaying its hand. Nigeria must recognize the strength of Cameroon's legal claims and Biya's domestic constraints. Cameroon should not be insensitive to Nigeria's political imperatives. Neither side should give serious consideration to the military option. Also, we should continue comparing notes with London and Paris while also weighing the potential utility of broaching the issue with African states that might be able to mediate effectively between Nigeria and Cameroon.  
JETER